

### EXAMINER'S AMENDMENT

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on June 5, 2009, Kimberly L. Brown (Reg. No. 48,698) requested an extension of time for one MONTH(S) and authorized the Director to charge Deposit Account No. 08-3038 the required fee of \$130.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

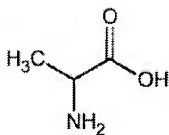
The application has been amended as follows:

*In the claims:*

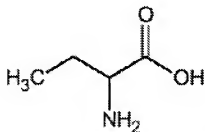
1. (canceled)
2. (currently amended) A coating composition according to claim 5 wherein the one or more polyisocyanates are selected from the group consisting of: substituted or unsubstituted linear aliphatic polyisocyanates with an even number of carbon atoms in the chain between two isocyanate groups; dimers, trimers or biurets thereof; substituted or unsubstituted arylene polyisocyanates; substituted or unsubstituted aralkylene polyisocyanates; and substituted or unsubstituted cyclohexylene polyisocyanates.

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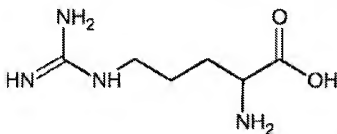
3. (currently amended) A coating composition according to claim 5 wherein the one or more optically active amino acid esters of formula (I) are esters of amino acids selected from the group of compounds consisting of:



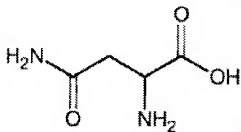
alanine (Ala),



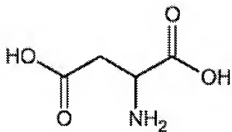
amino butyric acid (Abu),



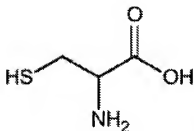
arginine (Arg),



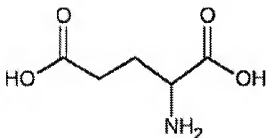
asparagines (Asn),



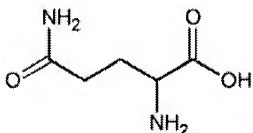
aspartic acid (Asp),



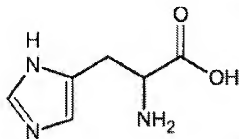
cysteine (Cys),



glutamic acid (Glu),

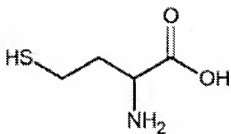


glutamine (Gln),

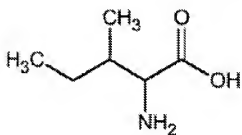


histidine (His),

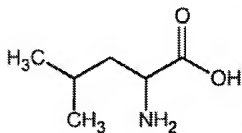
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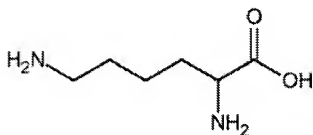
homocysteine (Hcy),



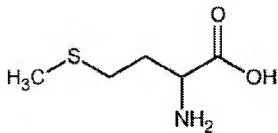
isoleucine (Ile),



leucine (Leu),

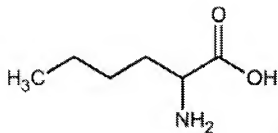


lysine (Lys),

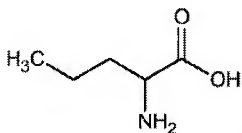


methionine (Met),

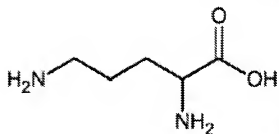
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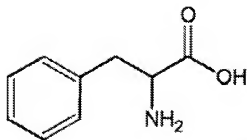
norleucine (Nle)



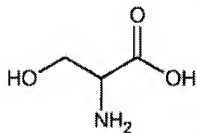
norvaline (Nva),



ornithine (Orn),

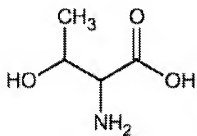


phenylalanine (Phe),

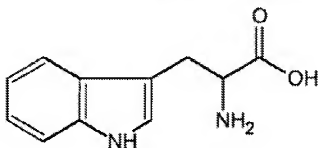


serine (Ser),

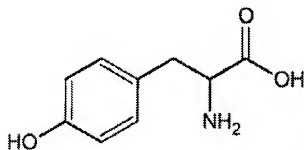
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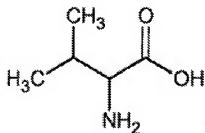
threonine (Thr),



tryptophan (Trp),



tyrosine (Tyr), and



valine (Val)

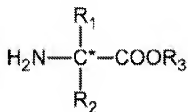
4. (currently amended) A coating composition according to claim 5 wherein R<sub>1</sub> and/or R<sub>2</sub> is a hydrocarbyl group, wherein the hydrocarbyl group is independently linear or cyclic or branched,

substituted or unsubstituted, saturated or unsaturated, and optionally containing a heteroatom.

5. (currently amended) A coating composition comprising:

i) a binder, and

ii) a rheology modification agent obtained by reacting one or more polyisocyanates with one or more optically active amino acid esters of the general formula (I)



, not as racemic mixture;

wherein each of  $\text{R}_1$  and  $\text{R}_2$  is independently selected from the group consisting of hydrogen and a hydrocarbyl group, wherein the hydrocarbyl group is linear or cyclic or branched, substituted or unsubstituted, saturated or unsaturated, and optionally containing a heteroatom, with each of  $\text{R}_1$  and  $\text{R}_2$  being different such that the carbon atom  $\text{C}^*$  is a chiral centre; and

wherein  $\text{R}_3$  is a hydrocarbyl group, wherein the hydrocarbyl group is linear or cyclic or branched, substituted or unsubstituted, saturated or unsaturated, and optionally containing a heteroatom.

6. (previously presented) A coating composition according to claim 5 wherein the coating composition is an isocyanate based coating composition.

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7. (previously presented) A coating composition according to claim 5 wherein the coating composition is an acryloyl based coating composition.

8. (previously presented) A coating composition according to claim 5 wherein the coating composition is an epoxy curable coating composition.

9. (previously presented) A coating composition according to claim 5 wherein the coating composition is a dual curable coating composition.

10. (previously presented) A coating composition according to claim 5 wherein the coating composition is a isocyanate-reactive two-component (2K) coating system that is cured with one or more polyol compounds, thiol compounds, amine-functional compounds, or combinations thereof, at a temperature of at least 25°C and below 150°C.

11. (canceled)

12. (canceled)

13. (canceled)

14. (canceled)



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15. (currently amended) A coating composition according to claim 5 wherein  $R_1$  and/or  $R_2$  is a hydrocarbyl group independently selected from the group consisting of a linear or branched  $C_1$ - $C_{24}$  alkyl group, a linear or branched  $C_1$ - $C_4$  alkyl group, a methyl group, and an ethyl group.

16. (canceled)

17. (canceled)

18. (canceled)

19. (canceled)

20. (canceled)

21. (canceled)

22. (canceled)

23. (canceled)

24. (new) A coating composition according to claim 5 wherein  $R_3$  is a linear, cyclic or branched  $C_{1-25}$  hydrocarbyl group selected from the group consisting of an alkyl group, an aryl group, an

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aralkyl group, and an alkenyl group; wherein said hydrocarbyl group is substituted or unsubstituted, saturated or unsaturated, and optionally containing a heteroatom.

25. (new) A coating composition according to claim 5 wherein  $R_3$  is a linear or branched  $C_1$ - $C_{25}$  alkyl group; wherein said hydrocarbyl group is substituted or unsubstituted, and optionally containing a heteroatom.

26. (new) A coating composition according to claim 5 wherein  $R_3$  is a linear or branched  $C_1$ - $C_8$  hydrocarbyl group selected from the group consisting of an alkyl group, an ether group, and an optionally esterified (poly)alkoxy group; wherein said hydrocarbyl group is substituted or unsubstituted.

27. (new) A coating composition according to claim 5 wherein  $R_3$  is a linear  $C_1$ - $C_4$  hydrocarbyl group selected from the group consisting of an alkyl group and an optionally alkoxylated alkoxy group.

\* \* \* \* \*

**DETAILED ACTION**

***Pending Claims***

Claims 2-10, 15, and 24-27 are pending.

***Response to Amendment***

1. The objection to claims 1, 11, 14, and 16-18 has been rendered moot by the cancellation of these claims.
2. The objection to claims 2-10 and 15 has been overcome by amendment.
3. The rejection of claims 1, 11, 14, and 18 under 35 U.S.C. 102(b) as being anticipated by Asahina (JP 05-017707) has been rendered moot by the cancellation of these claims.
4. The rejection of claims 2-4, 8, and 15 under 35 U.S.C. 102(b) as being anticipated by Asahina (JP 05-017707) has been overcome by amendment.
5. The rejection of claim 17 under 35 U.S.C. 103(a) as being unpatentable over Asahina (JP 05-017707) in view of Sapper et al. (US 2003/0100626) has been rendered moot by the cancellation of these claims.
6. The rejection of claims 6, 7, 9, and 10 under 35 U.S.C. 103(a) as being unpatentable over Asahina (JP 05-017707) in view of Sapper et al. (US 2003/0100626) has been overcome by amendment.

***Allowable Subject Matter***

7. Claims 2-10, 15, and 24-27 are allowed.

***Communication***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Feely whose telephone number is (571)272-1086. The examiner can normally be reached on M-F 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael J Feely/  
Primary Examiner, Art Unit 1796

June 5, 2009